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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/028,359   | 12/28/2001  | Kohshi Yoshimura     | 000803A             | 4346             |
| 23850  | 7590        | 03/02/2005           | EXAMINER            |                  |
| ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP<br>1725 K STREET, NW<br>SUITE 1000<br>WASHINGTON, DC 20006 |             |                      | WONG, EDNA          |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 1753                |                  |

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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|   |                                      |   |  |
|---|--------------------------------------|---|--|
| <b>Advisory Action</b><br><b>Before the Filing of an Appeal Brief</b> | <b>Application No.</b><br>10/028,359 | <b>Applicant(s)</b><br>YOSHIMURA ET AL. |  |
|   | <b>Examiner</b><br>Edna Wong         | <b>Art Unit</b><br>1753                 |  |

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 02 February 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appeal brief. The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

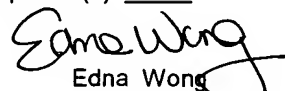
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: 7-9 and 12-17.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 10.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See pages 2-6.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

  
Edna Wong  
Primary Examiner  
Art Unit: 1753

### **ADVISORY ACTION**

This is in response to the Amendment dated February 2, 2005. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Response to Arguments***

#### Claim Rejections - 35 USC § 102

Claim **10** has been rejected under 35 U.S.C. 102(b) as being anticipated by **WO 99/23675** (WO '675) [EP 1,028,437 (EP '437) is an English language equivalent of WO '675, and citation will be made to both references].

The rejection of claim 10 is as applied in the Office Action dated May 17, 2004 and November 10, 2004 and incorporated herein. The rejection has been maintained for the following reasons:

Applicants' state that claim 10 of the instant application recites a relationship between inner and outer film thicknesses which is the opposite of that disclosed in WO '675. In particular, claim 10 has been amended to recite that the thickness of the film found on the outer surface be less than the thickness of the film formed on the inner surface. In WO '675, the inner film thickness is  $22\mu\text{m} \pm 1\mu\text{m}$  while the outer film thickness is  $23\mu\text{m} \pm 1\mu\text{m}$ . In response,

the inner film thickness of  $22\mu\text{m} \pm 1\mu\text{m}$  covers a range of  $21\mu\text{m}$ ,  $22\mu\text{m}$  and  $23\mu\text{m}$ ,  
and

the outer film thickness of  $23 \pm 1\mu\text{m}$  covers a range of 22 $\mu\text{m}$ , 23 $\mu\text{m}$  and 24 $\mu\text{m}$ .

Thus, it is suggested by WO '675 that the outer film thickness can be 22 $\mu\text{m}$  and the inner film thickness can be 23 $\mu\text{m}$ , wherein the thickness of the film formed on the outer surface is less than the thickness of the film formed on the inner surface.

Applicants state that in WO '675, there is no description of a magnet in which the variability of thickness of the plated film from portion to portion of the outer surface is equal to or less than 25%, and also the variability of thickness of the plated film from portion to portion of the inner surface is equal to or less than 25%.

In response, claim 10, lines 4-6, recites "the variability of thickness of said plated film from portion to portion of the outer and inner surfaces is equal to or less than 25%". This claim limitation reads on the 1 $\mu\text{m}$  variability of thickness (the difference in thickness between the outer film thickness of 22 $\mu\text{m}$  and the inner film thickness of 23 $\mu\text{m}$ ) of said plated film from portion to portion of the outer and inner surfaces. The 1 $\mu\text{m}$  variability of thickness is equal to or less than 25%.

Claim 10, lines 4-6, does not specifically recite that the thickness variability is portion to portion on the same surface.

### ***Response to Amendment***

#### ***Specification***

- I. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because the abstract is more than 150 words. Correction is required. See MPEP § 608.01(b).

II. The disclosure is objected to because of the following informalities:

page 1, after the title, in the Cross-Reference to the Related Application Statement, the words -- now US Patent No. 6,348,138 -- should be inserted after the number "2000".

Appropriate correction is required.

#### ***Allowable Subject Matter***

The following is a statement of reasons for the indication of allowable subject matter:

Claims **7-9 and 14** define over the prior art of record because the prior art does not teach or suggest a process for electroplating a work having a hole communicating

with the outside, using an electroplating device, comprising the steps of inserting, rotating, supplying, providing and depositing as presently claimed, esp., the step of providing said driving roller with a spacer to set adjacent works to be spaced a distance apart from each other and treating simultaneously a plurality of said works set such that they are spaced a distance apart from each other by the spacer.

Claims **12-13, 15 and 17** define over the prior art of record because the prior art does not teach or suggest a process for electroplating a work having a hole communicating with the outside, using an electroplating device, comprising the steps of inserting, rotating, supplying, providing and depositing as presently claimed, esp., the step of providing at least one of said driving roller and said at least one follower roller with a spacer to set adjacent works to be spaced a distance apart from each other and treating simultaneously a plurality of said works set such that they are spaced a distance apart from each other by the spacer.

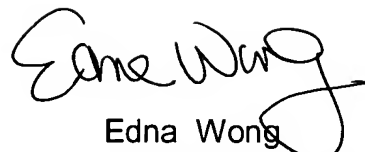
Claim **16** defines over the prior art of record because the prior art does not teach or suggest a process for electroplating a work having a hole communicating with the outside, using an electroplating device, comprising the steps of inserting, rotating, providing, supplying, providing and depositing as presently claimed, esp., the step of providing at least one of said driving roller and said follower roller with a spacer to set adjacent works to be spaced a distance apart from each other and treating simultaneously a plurality of said works set such that they are spaced a distance apart from each other by the spacer.

The prior art does not contain any language that teaches or suggests the above. *JP 10-294209* discloses processing a plurality of ring-shaped workpieces simultaneously, but no spacer is disclosed. Therefore, a person skilled in the art would not have been motivated to adopt the above conditions, and a prima facie case of obviousness cannot be established.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edna Wong whose telephone number is (571) 272-1349. The examiner can normally be reached on Mon-Fri 7:30 am to 3:30 pm, Flex Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Edna Wong  
Primary Examiner  
Art Unit 1753

EW  
February 28, 2005